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CHAPTER Env-Dw 800 PUBLIC NOTIFICATION BY PUBLIC WATER SYSTEMS

Statutory Authority: RSA 485:41, IV & VII

REVISION NOTE: [OLS REVISION NOTES MOVED TO END]

PART Env-Dw 801 GENERAL VIOLATION NOTIFICATION REQUIREMENTS

Env-Dw 801.01 Applicability; Recipient(s) of Public Notice.

(a) The public notice requirements specified in this chapter shall apply to each public water system (PWS) that is subject to the requirements for which Env-Dw 801.05 or Env-Dw 801.08(a) require notice to be provided.

(b) A PWS owner who is required to give public notice under this chapter shall notify the persons served by the PWS as specified herein.

(c) For any PWS that serves a consecutive system as defined in 40 CFR 141.2, the following shall apply:

(1) The PWS owner shall give public notice as required by this chapter to the owner of the consecutive system; and

(2) The owner of the consecutive system shall provide public notice to the persons served by the consecutive system.

(d) If the consecutive system has a certified operator, the owner of the consecutive system may direct the owner of the supplying PWS to provide notice to the certified operator in addition to or in lieu of the owner of the consecutive system. The consecutive system owner shall provide any directive to the PWS owner under this paragraph in writing and send a copy of the directive to the department concurrently with sending it to the PWS owner. The consecutive system owner may rescind the directive at any time, by providing written notice of the rescission to the PWS owner and the department.

(e) Any notice under this chapter that is required to be given to the department shall be directed to the attention of the department's drinking water program.

(f) For PWS owned by political subdivisions, the PWS shall not be required to provide notice under Env-Dw 801.08(a)(5) or Env-Dw 801.11(a)(5) relative to exceeding ambient groundwater quality standards or under Env-Dw 801.16 relative to lifting boil water orders if the political subdivision does not wish to pay for the cost of the notice.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 801.02 Requirement to Use Specific Notice Language.

(a) When providing the information on potential adverse health effects required by Env-Dw 801.03(c), the PWS owner shall include the applicable language specified in Env-Dw 804 through Env-Dw 810 for each contaminant.

(b) If language for a particular contaminant is not specified in Env-Dw 804 through Env-Dw 810 at the time notice is required, the PWS owner shall contact the department.

(c) The owner of a PWS at which the secondary MCL for fluoride as specified in Env-Dw 706.01 is exceeded shall issue public notice as specified in Env-Dw 803.01.

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(d) The owner of a PWS for which a variance or exemption has been granted under RSA 485:42 shall issue public notice as specified in Env-Dw 802.

(e) The owner of a PWS that is subject to the unregulated contaminant monitoring rule identified in 40 CFR 141.40 shall issue public notice as specified in Env-Dw 803.03.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 801.03 Elements of a Public Notice. Unless otherwise specified in Env-Dw 802 or Env-Dw 803, public notice shall:

(a) Describe the violation or the situation, including identifying each contaminant of concern and the corresponding contaminant level;

(b) Identify the compliance period, including year, when the violation or situation occurred;

(c) Describe any potential adverse health effects from the violation or situation using the applicable health effects language for that contaminant as specified in Env-Dw 804 through Env-Dw 810;

(d) Identify the population(s) at risk, including each subpopulation that is particularly vulnerable if exposed to the contaminant in the drinking water;

(e) Advise whether alternative water supplies should be used;

(f) Identify what actions a consumer should take, including when to seek medical help, if known and applicable;

(g) Describe actions the PWS owner is taking to correct the violation or situation;

(h) Identify when the PWS is expected to return to compliance or resolve the situation;

(i) Identify the name, business address, and telephone number of the PWS owner, certified operator, or designee as a source of additional information concerning the notice;

(j) Include the following statement:

“Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools and businesses). You can do this by posting this notice in a public place or distributing copies by hand or by mail.”; and

(k) Include the following statement, including the information necessary to fill in the blanks, if the public notice is issued for a monitoring and reporting or monitoring and testing procedure violation as set forth in Env-Dw 707 through Env-Dw 713:

“We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [compliance period], we ‘did not monitor or test’ or ‘did not complete all monitoring or testing’ for [contaminant(s)], and therefore cannot be sure of the quality of your drinking water during that time.”.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 801.04 Acute Public Notice and Required Consultations.

(a) For purposes of this section, the following definitions shall apply:

- (1) “Consult with the department” means the PWS owner has engaged in 2-way communications directly with an individual in the department’s drinking water program, whether such communications are in person, by telephone, by fax, or by e-mail;
- (2) “Initiate consultations” means the PWS owner has made reasonable efforts to communicate with the department, whether or not the efforts were initially successful; and
- (3) “Made reasonable efforts” means the PWS owner conveyed information to the department by telephone, fax, or e-mail regarding the occurrence of the violation or situation, which included current contact information for the owner or designee.

(b) As soon as practical but no later than 24 hours after learning of a turbidity MCL violation as listed in Env-Dw 801.05(g) or a treatment technique violation as listed in Env-Dw 801.05(h), the PWS owner shall consult with the department, as specified in Env-Dw 801.06.

(c) As soon as practicable but no later than 24 hours after learning of a violation or situation listed in Env-Dw 801.05(a)-(g) or (j)-(l), the PWS owner shall:

- (1) Issue acute public notice as specified in Env-Dw 801.07; and
- (2) Initiate consultations with the department to determine whether additional public notice is required, as specified in Env-Dw 801.06.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 801.05 Violations and other Situations for which Acute Public Notice is Required. The PWS owner shall provide acute public notice, in accordance with Env-Dw 801.01 through Env-Dw 801.04 and Env-Dw 801.07, of any of the following violations or situations:

(a) Any violation of the MCL for total coliforms specified in Env-Dw 702 and determined as specified in Env-Dw 707 through Env-Dw 709, when fecal coliforms or E. coli are present in the water distribution system;

(b) Any failure to test for fecal coliforms or E. coli when any sample tests positive for total coliforms as specified in Env-Dw 702;

(c) Any detection of fecal coliforms or E. coli as specified in Env-Dw 709.14, subject to Env-Dw 709.15;

(d) Any detection of E. coli, enterococci, or coliphage in the groundwater source at a system that is subject to Env-Dw 717;

(e) Any violation of the MCL for nitrate, nitrite, or total nitrate and nitrite as specified in Env-Dw 704.02 and determined in accordance with Env-Dw 707, Env-Dw 708, and Env-Dw 711;

(f) Any failure to collect a confirmation sample of nitrate, nitrite, or total nitrate and nitrite within 24 hours of the water system’s receipt of the first sample results showing an exceedance of the nitrate or nitrite MCL, if required pursuant to Env-Dw 708 or Env-Dw 711;

(g) Any violation of the chlorine dioxide MRDL as specified in Env-Dw 705.04(c), where:

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- (1) The required samples were not collected in the distribution system; or
 - (2) One or more samples collected in the distribution system the day following an exceedance of the MRDL at the entrance of the distribution system exceed the MRDL; and
- (h) Any violation of the turbidity MCL specified in 40 CFR 141.13(b) if:
- (1) The PWS owner fails to consult with the department within 24 hours of learning of the violation as required by Env-Dw 801.04(b); or
 - (2) After the required consultation, the department determines, based on the circumstances causing or contributing to the violation, that public notice is required to protect public health and safety;
- (i) Any violation of a treatment technique requirement specified in the surface water treatment rule (SWTR), interim enhanced surface water treatment rule (IESWTR), or long term 1 enhanced surface water treatment rule (LT1ESWTR), as incorporated by Env-Dw 716, resulting from a single exceedance of the maximum allowable turbidity limit, if:
- (1) The PWS owner fails to consult with the department within 24 hours of learning of the violation as required by Env-Dw 801.04(b); or
 - (2) After the required consultation, the department determines, based on the circumstances causing or contributing to the violation, that public notice is required to protect public health and safety;
- (j) Any occurrence of a waterborne disease outbreak as defined in 40 CFR 141.2;
- (k) Any occurrence of a waterborne emergency, including, but not limited to:
- (1) A failure or significant interruption in key water treatment processes or distribution;
 - (2) A natural disaster that disrupts the water supply or distribution system; and
 - (3) A chemical spill or the unexpected introduction of possible pathogens or substances into the source water that significantly increases the potential for drinking water contamination; and
- (l) Any other violation or situation that has significant potential to cause serious adverse effects on human health as a result of short-term exposure, that is:
- (1) Identified in Env-Ws 300 or successor rules in Env-Dw 700; or
 - (2) Determined by the department after consultation with the PWS owner to warrant public notice in order to protect public health and safety.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 801.06 Consultation for Acute Public Notice Violations or Situations.

- (a) The consultation between the department and the PWS owner required by Env-Dw 801.04(c)(2) shall be to determine:
- (1) The degree of risk to public health from the violation or situation;
 - (2) Whether additional public notice will be required to be given by the owner; and
 - (3) If additional public notice is required, the parameters for such notice, including timing, form, manner and frequency of distribution, and content.

(b) The determinations in (a), above, shall be based on:

- (1) The nature of the specific violation or situation, including whether it exists throughout the entire PWS or is confined to only a portion of the PWS;
- (2) When the violation or situation first occurred and how long it has been on-going;
- (3) The severity of the violation or situation; and
- (4) The potential health risk posed by the violation or situation.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 801.07 Acute Public Notice; Methods of Delivery.

(a) The PWS owner shall notify persons served by the PWS of any of the violations or situations listed in Env-Dw 801.05 within 24 hours of learning of the violation or situation.

(b) The owner shall deliver the notice in a manner that is calculated to reach all persons served, by using at least one of the following forms of delivery:

- (1) Broadcast media, such as radio and television, by furnishing a copy of the public notice for broadcast to radio or television stations, or both, that broadcast in the area served by the PWS;
- (2) Written notice to all persons served by the PWS using one or more of the following methods:
 - a. If the area is served by a daily newspaper of general circulation, by publication in 3 consecutive issues of that newspaper;
 - b. By door-to-door hand delivery; or
 - c. For non-transient PWS, by posting the public notice in conspicuous locations throughout the area served by the PWS for as long as the violation persists or 7 days, whichever is longer; or
- (3) Subject to (c) below, reverse 911 telephone service to all persons served by the PWS, provided:
 - a. Current phone numbers are known for all service connections; and
 - b. A receipt mechanism confirms that notice was received within 24 hours of transmittal.

(c) When reverse 911 is used but all current phone numbers are not known, one of the delivery methods specified in (b)(1) or (2), above, shall be used for each person for whom the number is not known.

(d) To supplement the delivery of notice by one or more methods listed in (b), above, the PWS owner may also distribute the public notice to persons served by the system using any of the methods specified below:

- (1) Delivery of multiple copies for distribution by customers who provide the water to others, such as apartment building owners, schools, or large private employers;
- (2) Posting on the internet; or
- (3) Delivery of one or more copies to community organizations.

(e) Within 10 days of providing notice to each consumer, the PWS owner shall submit to the department the certification specified in Env-Dw 801.19.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 801.08 Standard Public Notice for Community Water Systems.

(a) The owner of a community water system (CWS) shall provide notice, as required by Env-Dw 801.01, in accordance with (b), below, within 30 days of learning of any of the following violations or situations:

- (1) Any violation of an applicable MCL, MRDL, treatment technique, monitoring and reporting, or monitoring and testing procedure requirements specified in Env-Ws 300 or successor rules in Env-Dw 700 that is not an acute violation specified in Env-Dw 801.05;
- (2) Any violation of the turbidity MCL requirements established in 40 CFR 141.13(b) where the department determines, after consultation in accordance with Env-Dw 801.06, that the violation does not impose an acute health risk that warrants notification to the public within 24 hours;
- (3) Any violation of a SWTR, IESWTR, or LT1ESWTR treatment technique as described in Env-Dw 801.05(h) where the department determines, after consultation in accordance with Env-Dw 801.06, that the violation does not impose an acute health risk that warrants notification to the public within 24 hours;
- (4) Failure to take corrective action or failure to maintain at least 4-log treatment of viruses before or at the first customer as specified in Env-Dw 717; or
- (5) Failure to comply with ambient groundwater quality standards (AGQS) as required by Env-Dw 707.02(b).

(b) The CWS owner shall notify each customer receiving a bill and the owner of any other service connection through which water is delivered to the public of any of the violations listed in (a), above, in such a manner that is calculated to reach all persons served by the CWS, by using at least one of the following forms of delivery:

- (1) Mail delivery; or
- (2) Door-to-door hand delivery.

(c) If the CWS owner determines that not all persons served by the CWS were reached using the method chosen by the owner from those described in (b), above, the owner shall issue notice to persons served by the CWS using one of the following methods:

- (1) Publication in a local newspaper or newsletter distributed to all persons served by the CWS;
- (2) Delivery of multiple copies for distribution by customers that provide the water to others, such as apartments building owners, schools, or large private employers;
- (3) Posting in public places served by the CWS;
- (4) Posting on the internet or email broadcast to all persons served by the CWS; or
- (5) Delivery of one or more copies to community organizations.

(d) A PWS owner who chooses to use the method in (c)(3), above, shall post the public notice for as long as the violation persists or 7 days, whichever is longer.

(e) Within 10 days of providing notice to its customers, the CWS owner shall submit to the department the certification specified in Env-Dw 801.19.

(f) Public notices for the violations described in (a), above, shall be repeated every 3 months for as long as the violation persists unless the PWS owner requests, and the department approves, a different frequency pursuant to Env-Dw 801.10.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 801.09 Request for Extension of Standard Public Notice for CWS.

(a) If a CWS owner is unable to provide public notice within 30 days as required by Env-Dw 801.08(a), the owner shall submit a request for an extension in writing to the department.

(b) A request for an extension shall:

- (1) Be filed prior to the expiration of the 30-day notice period;
- (2) Identify the CWS by name and EPA identifier;
- (3) Explain why the owner is unable to provide the required notice within the required time;
- (4) Identify the length of the extension being requested; and
- (5) Describe what alternative(s), if any, will be used by the owner prior to providing the required notice to ensure that public health will be protected.

(c) The department shall respond to the extension request in writing. If the request is denied, the department shall specify the reason(s) for the denial.

(d) The department shall approve the extension request if it finds that the alternative(s) proposed will:

- (1) Adequately protect human health and the environment; and
- (2) Meet all applicable federal requirements.

(e) An extension granted by the department shall extend the time for providing the initial notice not more than 3 months from the date the water system learns of the violation.

(f) In no event shall an extension request be approved for any ongoing violations.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 801.10 Alternate Frequency for Repeat Standard Public Notice for CWS.

(a) If a CWS owner wishes to provide repeat notice less frequently than once every 3 months, the owner shall submit a request for a modification of the repeat notice frequency in writing to the department.

(b) A request for an alternate repeat notice frequency shall:

- (1) Be filed prior to the expiration of the notice period required by Env-Dw 801.08(a) or extension thereof granted pursuant to Env-Dw 801.09;
- (2) Identify the CWS by name and EPA identifier;
- (3) Explain why the owner is unable or unwilling to provide the required repeat notice every 3 months;

- (4) Identify the frequency being requested for the repeat notices; and
 - (5) Explain how public health will be protected even though the frequency of repeat notices would be reduced.
- (c) The department shall respond to the request for a modification of the repeat notice frequency in writing. If the request is denied, the department shall specify the reason(s) for the denial.
- (d) The department shall approve the request if it finds that the proposed frequency will:
- (1) Adequately protect human health and the environment; and
 - (2) Meet all applicable federal requirements.
- (e) In no event shall repeat notice be given less frequently than once per year.
- (f) In no event shall the department approve a less frequent repeat notice for total coliform MCL violations or for treatment technique violations of the SWTR or IESWTR as incorporated by Env-Dw 716.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 801.11 Standard Public Notice for Non-Community Water Systems.

- (a) The owner of a non-community water system (NCWS) shall provide notice, as required by Env-Dw 801.01, in accordance with (b), below, within 30 days of learning of any of the following violations or situations:
- (1) A violation of an applicable MCL, MRDL, treatment technique, monitoring and reporting, or monitoring and testing procedure requirements specified in Env-Ws 300 or successor rules in Env-Dw 700 that is not an acute violation specified in Env-Dw 801.05;
 - (2) Any violation of the turbidity MCL requirements established in 40 CFR 141.13(b) where the department determines, after consultation in accordance with Env-Dw 801.06, that the violation does not impose an acute health risk that warrants notification to the public within 24 hours;
 - (3) Any violation of a SWTR, IESWTR, or LT1ESWTR treatment technique as described in Env-Dw 801.05(h) where the department determines, after consultation in accordance with Env-Dw 801.06, that the violation does not impose an acute health risk that warrants notification to the public within 24 hours;
 - (4) Failure to take corrective action or failure to maintain at least 4-log treatment of viruses before or at the first customer as specified in Env-Dw 717; or
 - (5) Failure to comply with ambient groundwater quality standards (AGQS) as required by Env-Dw 707.02(b).
- (b) The NCWS owner shall notify each customer receiving a bill and the owner of any other service connection through which water is delivered to the public of any of the violations listed in (a), above, in such a manner that is calculated to reach all persons served by the NCWS, by using at least one of the following forms of delivery:
- (1) Mail delivery;
 - (2) Door-to-door hand delivery; or

(3) Posting the notice in conspicuous locations throughout the distribution system frequented by persons served by the system.

(c) If the NCWS owner determines that persons served by the NCWS cannot be reached using the delivery methods specified in (a), above, the owner shall issue notice to persons served by the NCWS using one of the following methods:

- (1) Publication in a local newspaper or newsletter distributed to persons served by the NCWS;
- (2) Delivery of multiple copies for distribution by customers that provide the water to others, such as apartment building owners, schools, or large private employers;
- (3) Posting on the internet or email broadcast to all persons served by the system; or
- (4) Delivery of one or more copies to community organizations.

(d) Within 10 days of providing notice to its customers, the NCWS owner shall submit to the department the certification specified in Env-Dw 801.19.

(e) If the NCWS owner elects to provide public notice by posting the notice, posting shall continue for as long as the violation persists or 7 days, whichever is longer.

(f) Subject to (g), below, the NCWS owner shall repeat the public notice for the standard violations described in (a), above, every 3 months for as long as the violation persists unless the NCWS owner requests, and the department approves, a different frequency pursuant to Env-Dw 801.13.

(g) If a monitoring violation occurs at a seasonal system that will not be in operation for at least 3 months following the issuance of the public notice, the NCWS owner shall also post the notice upon the reopening of the system the following season. If such additional posting is required, the notice shall remain posted for 7 days or as long as the violation persists, whichever is longer.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 801.12 Request for Extension of Standard Violation Public Notice for NCWS.

(a) If an NCWS owner is unable to provide public notice within 30 days as required by Env-Dw 801.11(a), the owner shall submit a request for an extension in writing to the department.

(b) A request for an extension shall:

- (1) Be filed prior to the expiration of the 30-day notice period;
- (2) Identify the water system by name and EPA identifier;
- (3) Explain why the owner is unable to provide the required notice within the required time;
- (4) Identify the length of the extension being requested; and
- (5) Describe what alternative(s), if any, will be used by the owner prior to providing the required notice to ensure that public health will be protected.

(c) The department shall respond to the extension request in writing. If the request is denied, the department shall specify the reason(s) for the denial.

(d) The department shall approve the extension request if it finds that the alternative(s) proposed will:

- (1) Adequately protect human health and the environment; and
- (2) Meet all applicable federal requirements.

(e) An extension granted by the department shall extend the time for providing notice not more than 3 months from the date the water system learns of the violation.

(f) In no event shall an extension request be approved for any ongoing violations.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 801.13 Alternate Frequency for Repeat Standard Public Notice for NCWS.

(a) If an NCWS owner wishes to provide repeat notice less frequently than once every 3 months, the owner shall submit a request for a modification of the repeat notice frequency in writing to the department.

(b) A request for an alternate repeat notice frequency shall:

- (1) Be filed prior to the expiration of the notice period required by Env-Dw 801.11(a) or extension thereof granted pursuant to Env-Dw 801.12;
- (2) Identify the NCWS by name and EPA identifier;
- (3) Explain why the owner is unable or unwilling to provide the required repeat notice every 3 months;
- (4) Identify the frequency being requested for the repeat notices; and
- (5) Explain how public health will be protected even though the frequency of repeat notices would be reduced.

(c) The department shall respond to the request for a modification of the repeat notice frequency in writing. If the request is denied, the department shall specify the reason(s) for the denial.

(d) The department shall approve the request if it finds that the proposed frequency will:

- (1) Adequately protect human health and the environment; and
- (2) Meet all applicable federal requirements.

(e) In no event shall repeat notice be given less frequently than once per year.

(f) In no event shall the department approve a less frequent repeat notice for total coliform MCL violations or for treatment technique violations of the SWTR or IESWTR as incorporated by Env-Dw 716.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 801.14 Notice to New Billing Units or New Customers.

(a) A CWS owner shall give to each new billing unit or new hookup, prior to or at the time service begins, a copy of the most recent public notice for any of the following:

- (1) Any outstanding violation;
- (2) The existence of any variance or exemption; or

(3) Any other ongoing situation for which public notice is required.

(b) An NCWS owner shall continuously post the public notice for any of the violations or situations identified in (a)(1) through (3), above, for as long as the violation, variance or exemption, or other situation persists or 7 days, whichever is longer.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 801.15 Limiting Public Notice.

(a) If any PWS has a violation or situation requiring public notice in a portion of the distribution system that is hydraulically separate from other parts of the distribution system, the PWS owner may request the department to allow notice to be distributed to only persons served by that part of the system which is affected.

(b) To file a request for permission to limit notice distribution, the PWS owner shall:

(1) Identify the PWS by name and EPA identifier;

(2) Identify the portion of the distribution system that is hydraulically separate from other parts of the distribution system; and

(3) Submit a signed statement certifying that the violation(s) or situation occurred only within the separate portion of the distribution system.

(c) If the department determines that the PWS owner has demonstrated that the violation(s) or situation occurred only within the hydraulically-separate portion of the distribution system, the department shall allow the owner to give public notice to only that portion of the PWS which is affected.

(d) The department's decision on the request shall be in writing. If the request is denied, the department shall specify the reason(s) for the denial.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 801.16 Notification Requirements for Lifting a Boil Water Order; Methods of Delivery.

(a) If a PWS has been required to issue a boil water order pursuant to Env-Dw 709.14 or based on one or more violations or situations listed in Env-Dw 801.05(a) through (d) or (j) through (l), the owner shall provide notice as specified in this section.

(b) When the department is satisfied that the reason(s) for having a boil water order no longer exist, the PWS owner shall provide notice, as specified in Env-Dw 801.01, that the boil water order has been lifted, using at least one of the following forms of delivery:

(1) Broadcast media, such as radio and television, by furnishing a copy of the public notice for broadcast to radio or television stations, or both, that broadcast in the area served by the PWS;

(2) Written notice to all persons served by the PWS using one or more of the following methods:

a. If the area is served by a daily newspaper of general circulation, by publication in 3 consecutive issues of that newspaper;

b. By door-to-door hand delivery; or

c. For non-transient PWS, by posting the public notice in conspicuous locations throughout the area served by the PWS for 7 days; or

(3) Subject to (c), below, reverse 911 telephone service to all persons served by the PWS, provided:

a. Current phone numbers are known for all service connections; and

b. A receipt mechanism confirms that notice was received within 24 hours of transmittal.

(c) If reverse 911 is used but all current phone numbers are not known, one of the delivery methods specified in (b)(1) or (2), above, shall be used for each person for whom the number is not known.

(d) To supplement the delivery of notice pursuant to (b), above, the PWS owner may distribute the notice to persons served by the system using one or more of the methods specified below:

a. Delivery of multiple copies for distribution by customers who provide the water to others, such as apartment building owners, schools, or large private employers;

b. Posting on the internet; or

c. Delivery of one or more copies to community organizations.

(e) Within 10 days of providing notice as required, the PWS owner shall submit the certification specified in Env-Dw 801.20 to the department.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 801.17 Requirements for All Public Notices.

(a) Where these rules do not provide specific language or a template for a condition requiring public notice, the PWS owner shall prepare the notice in consultation with the department.

(b) Each public notice shall:

(1) When posted, be displayed in a conspicuous manner;

(2) Be written using language that is likely to be understood by the average customer, and not contain unduly technical language;

(3) Be written using a font size that is readable at the distance at which most people would read it, such that a posted notice shall have a larger font size than a mailed notice, and neither shall have unduly small print; and

(4) Not be worded or formatted in a way which defeats or nullifies the purpose of the notice.

(c) Where more than 20% of the water system users do not speak English, the public notice shall contain information regarding the importance of the notice and the telephone number and address, in the appropriate language, where a translated notice or further information regarding the notice can be obtained.

(d) When public notice is to be issued to children or to adults of impaired understanding, the notice may be given to the legal guardian of the user.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 801.18 Department Action When Owner Fails to Notify.

(a) The department shall issue public notice on behalf of the PWS owner if the department determines that the PWS owner failed to issue public notice as required by this part and:

- (1) The failure to issue public notice may pose a risk to human health as identified in Env-Ws 300 or successor rules in Env-Dw 700; or
- (2) The owner fails to recognize or acknowledge any other violation of Env-Ws 300 or successor rules in Env-Dw 700.

(b) Even if the department provides notice pursuant to (a), above, the PWS owner shall remain subject to enforcement under RSA 485:58 for failing to provide public notice and for any other violations of this part.

(c) The department shall issue a public notice violation if the PWS owner fails to comply with the timing, content, delivery, or certification requirements of this part.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 801.19 Certification of Public Notice.

(a) Within 10 days of completing the public notification requirements, the PWS owner shall certify to the department, in writing, that the owner has fully complied with all public notice requirements specified in this part.

(b) The certification required by (a), above, shall consist of:

- (1) A representative copy of each type of public notice distributed, published, posted, or otherwise made available to the persons served by the system and the media, including any initial and repeat notices;
- (2) If notice was given by publication in a newspaper as specified in Env-Dw 801.07(b)(2)a. or Env-Dw 801.08(c)(1), a copy of:
 - a. One complete newspaper page which shows the newspaper name and publication date, together with the dates of each of the 2 consecutive issues; or
 - b. A copy of the tear sheet and invoice showing the publication run dates; and
- (3) A statement signed by the water system owner certifying when, where, how, and by whom public notice was given.

(c) The PWS owner shall submit a new certification to the department, as specified in (a) and (b), above, for any repeat public notices.

(d) The PWS owner shall retain a copy of the public notice and accompanying certification for at least 3 years after issuance.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 801.20 Distribution of Public Notice within the Consumer Confidence Report.

(a) A CWS owner may use the consumer confidence report (CCR) required by Env-Dw 811 to meet the requirements of this part for the violations or situations listed in (b), below, provided:

- (1) The CCR contains all information required in Env-Dw 801.02 and Env-Dw 801.03;
- (2) The CCR is distributed not later than one year after the owner learns of the violation or situation; and

- (3) The owner notifies the department in writing, within 30 days of learning of the violation or situation, that the CCR will be used as the public notice mechanism.
- (b) The following violations or situations may be reported in the CCR:
 - (1) Annual notice of secondary fluoride exceedance; or
 - (2) The availability of unregulated contaminant monitoring results.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

PART Env-Dw 802 NOTICES FOR VARIANCES AND EXEMPTIONS

Env-Dw 802.01 Notices of Variances and Exemptions. A PWS owner shall notify persons served by the PWS in accordance with this part whenever:

- (a) A variance or exemption is granted to the PWS under RSA 485:42; or
- (b) A condition of a variance or exemption granted to the PWS is violated.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 802.02 Required Initial Notice. Except as provided in Env-Dw 802.04 or Env-Dw 802.05, as applicable, the PWS owner shall give notice within 3 months of the initial granting of a variance or exemption or initial discovery of a violation of a condition of a variance or exemption granted to the PWS by publication in:

- (a) A daily newspaper of general circulation in the area served by the PWS; or
- (b) If the area served by the PWS is not served by a daily newspaper of general circulation, a weekly newspaper of general circulation serving the area.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 802.03 Required On-Going Notices. Except as provided in Env-Dw 802.04 or Env-Dw 802.05, as applicable, subsequent to giving initial notice the PWS owner shall give repeat notice of the existence of a variance or exemption or violation of a condition of a variance or exemption every 3 months for as long as the variance or exemption remains in effect or the violation persists.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 802.04 Alternative Notice for Community Water Systems.

(a) In lieu of providing notice as specified in Env-Dw 802.02, the CWS owner in an area that is not served by a daily or weekly newspaper of general circulation shall give initial notice within 3 months of the granting of the variance or exemption or discovery of a violation as follows:

- (1) By mail or hand delivery to each customer receiving a bill and to other service connections to which water is delivered by the CWS; and
- (2) For those people regularly served by the CWS who would not normally be reached by delivery in accordance with (1), above, by continuous posting in conspicuous places within the area served by the CWS.

(b) If the CWS owner provides initial notice by posting, the owner shall maintain the posting for as long as the violation persists or a variance or exemption remains in effect.

(c) If the CWS owner provides initial notice by mail or hand delivery, the owner shall repeat the mail or hand delivery at least once every 3 months for as long as the violation persists or a variance or exemption remains in effect.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 802.05 Alternative Notice for Non-Community Water Systems.

(a) In lieu of providing notice as specified in Env-Dw 802.02, the NCWS owner shall give notice within 3 months of the discovery of a violation or the granting of the variance or exemption as follows:

(1) By hand delivery to each customer receiving a bill and to other service connections to which water is delivered by the NCWS; and

(2) For those people regularly served by the NCWS who would not normally be reached by delivery in accordance with (1), above, by continuous posting in conspicuous places within the area served by the NCWS.

(b) If the NCWS owner provides initial notice by posting, the owner shall maintain the posting for as long as the violation persists or the variance or exemption remains in effect.

(c) If the NCWS owner provides initial notice by hand delivery, the owner shall repeat the hand delivery at least every 3 months for as long as the violation persists or a variance or exemption remains in effect.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 802.06 Required Notice Content. The public notice shall contain the following information:

(a) The date on which the variance or exemption was issued;

(b) The date the variance or exemption is to be renewed;

(c) An explanation of why the variance or exemption was granted;

(d) A brief status report on the steps the PWS owner has taken to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the variance or exemption;

(e) Notice of any opportunity for public input in the review or renewal of the variance or exemption; and

(f) The following definition:

"Variances and Exemptions: State or EPA permission not to meet an MCL or treatment technique under certain conditions."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

PART Env-Dw 803 NOTIFICATIONS FOR FLUORIDE, CRYPTOSPORIDIUM, AND UNREGULATED CONTAMINANTS

Env-Dw 803.01 Compliance with Secondary Maximum Contaminant Level and Public Notification for Fluoride.

(a) Subject to (c) below, the owner of a CWS or a non-transient non-community water system (NTNC) at which the level of fluoride exceeds the secondary MCL specified in Env-Dw 706.01 but not the MCL specified in Env-Dw 704.02 shall provide the notice prescribed in (b), below, to all billing units annually, to all new billing units at the time service begins, and to the New Hampshire public health officer at the department of health and human services.

(b) The public notice required by (a), above, shall:

- (1) Contain the language specified in Env-Dw 802.06 and Env-Dw 806.11; and
- (2) Be provided as soon as practical but not later than 12 months from the day the CWS or NTNC owner learns of the exceedance.

(c) The owner of an NTNC shall provide notice under this section only if the it serves children under the age of 9, which is the population subject to dental fluorosis.

(d) A CWS owner may provide notice through the CCR as specified in Env-Dw 801.20.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 803.02 Public Notice for Cryptosporidium.

(a) If the owner of a CWS or NCWS that is required to monitor source water under Env-Ws 380 or successor rules in Env-Dw 716 fails to collect any 3 months of monitoring as specified in 40 CFR 141.701(c) incorporated by reference at Env-Dw 716.09, the owner shall provide the notice specified in (c), below, to all persons served by the system no later than 30 days after learning of the violation.

(b) The owner or operator of a CWS or NCWS that is required to determine a bin classification as specified in 40 CFR 141.710 incorporated by reference at Env-Dw 716.09, or to determine mean Cryptosporidium level under 40 CFR 141.712 incorporated by reference at Env-Dw 716.09, shall provide the notice that the determination has not been made as required, as specified in (c), below, to all persons served by the system no later than 30 days after the system has failed to report the determination as specified in 40 CFR 141.710(e) or 40 CFR 141.712(a), respectively.

(c) The notice required by (a), above, shall:

- (1) Contain the language specified in 40 CFR 141.211(d)(1) and (3);
- (2) If posted, remain in place for as long as the violation or situation persists or 7 days, whichever is longer; and
- (3) Be repeated as specified 40 CFR 141.203(b)(2).

(d) The notice required by (b), above, shall:

- (1) Contain the language specified in 40 CFR 141.211(d)(2) and (3);
- (2) If posted, remain in place for as long as the violation or situation persists or 7 days, whichever is longer; and
- (3) Be repeated as specified 40 CFR 141.203(b)(2).

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 803.03 Public Notice of the Availability of Unregulated Contaminant Monitoring Results.

(a) The owner of a PWS that conducts monitoring under the unregulated contaminant monitoring rule identified in 40 CFR 141.40 shall issue public notice of the availability of the monitoring results to persons served by the water system as specified in (b) through (e), below.

(b) The notice shall contain the information specified in Env-Dw 801.03.

(c) Within 12 months of the receipt of the results, the owner of a CWS shall issue the notice either in accordance with Env-Dw 801.08(b) through (d) or through the CCR in accordance with Env-Dw 801.20.

(d) Within 12 months of the receipt of the results, the owner of a NCWS shall issue the notice in accordance with Env-Dw 801.11(b) and (c).

(e) Within 10 days of providing notice to its customers, the system owner shall submit the certification specified in Env-Dw 801.19 to the department.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

PART Env-Dw 804 HEALTH EFFECTS LANGUAGE FOR MICROBIOLOGICAL, CORROSION CONTROL, AND TURBIDITY

Env-Dw 804.01 Required Health Effects Language for Microbiological Contaminants.

(a) The PWS owner shall use one or more of the statements listed in (b) through (d), below, as applicable, as the statement required by Env-Dw 801.03(c) to describe the adverse health effects for microbiological contaminants specified in Env-Dw 702.

(b) For the presence of fecal coliforms or E. coli, the statement shall read as follows:

"Fecal coliforms and E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely compromised immune systems.";

(c) For the presence of total coliforms, the statement shall read as follows:

"Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems."; and

(d) For the presence of Giardia lamblia, the statement shall read as follows:

"Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites, which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches."

(e) The PWS owner shall use the following as the statement required by Env-Dw 801.03(c) to describe the adverse health effects when there is a violation of the treatment technique for filtration and disinfection specified in Env-Ws 380 or successor rules in Env-Dw 716:

"Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites, which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 804.02 Required Health Effects Language for Exceedance of the Copper Action Level. The PWS owner shall use the following as the statement required by Env-Dw 801.03(c) to describe the adverse health effects when the copper action level specified in Env-Ws 381 or successor rules in Env-Dw 714 is exceeded:

"Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time could experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years could suffer liver or kidney damage. People with Wilson's Disease should consult with their personal doctor."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 804.03 Required Health Effects Language for Failure to Install Optimal Corrosion Control. The PWS owner shall use the following, as applicable, as the statement required by Env-Dw 801.03(c) to describe the adverse health effects for violations of corrosion control treatment techniques required for lead, copper, or both specified in Env-Ws 381 or successor rules in Env-Dw 714:

(a) For the presence of lead:

"Infants and children who drink water containing lead in excess of the action level could experience delays in their physical or mental development. Children could show slight deficits in attention span and learning abilities. Adults who drink this water over many years could develop kidney problems or high blood pressure."

(b) For the presence of copper:

"Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time could experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years could suffer liver or kidney damage. People with Wilson's Disease should consult with their personal doctor."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 804.04 Required Health Effects Language for Turbidity Violations. The PWS owner shall use the following as the statement required by Env-Dw 801.03(c) to describe the adverse health effects for violations of the turbidity MCL specified in 40 CFR 141.13(b) or for treatment technique violations specified in Env-Ws 380 or successor rules in Env-Dw 716:

"Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

PART Env-Dw 805 HEALTH EFFECTS LANGUAGE FOR RADIOLOGICAL CONTAMINANTS

Env-Dw 805.01 Required Health Effects Language for Radiological Contaminants. The PWS owner shall use the language specified in this part, as applicable, as the statement required by Env-Dw 801.03(c) to describe the adverse health effects for the radiological contaminants specified in Env-Dw 703.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 805.02 Compliance Gross Alpha. For compliance gross alpha violations, the statement shall read as follows:

“Certain minerals are radioactive and may emit a form of radiation known as alpha radiation. Some people who drink water containing alpha emitters in excess of the MCL over many years may have an increased risk of getting cancer.”

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 805.03 Uranium. For uranium violations, the statement shall read as follows:

"Some people who drink water containing uranium in excess of the MCL over many years may have an increased risk of getting cancer and kidney toxicity."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 805.04 Radium 226 and Radium 228. For radium 226 or radium 228 violations, the statement shall read as follows:

“Some people who drink water containing radium 226 or radium 228 in excess of the MCL over many years may have an increased risk of getting cancer.”

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 805.05 Beta Radiation and Photon Emitters. For beta radiation or photon emitters violations, the statement shall read as follows:

“Certain minerals are radioactive and may emit forms of radiation known as photons and beta radiation. Some people who drink water containing beta and photon emitters in excess of the MCL over many years may have an increased risk of getting cancer.”

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 805.06 Alpha Emitters. For alpha emitters violations, the statement shall read as follows:

"Certain minerals are radioactive and may emit a form of radiation known as alpha radiation. Some people who drink water containing alpha emitters in excess of the MCL over many years may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

PART Env-Dw 806 HEALTH EFFECTS LANGUAGE FOR INORGANIC CHEMICAL CONTAMINANTS

Env-Dw 806.01 Required Health Effects Language for Regulated Inorganic Chemical (IOC) Contaminants. The PWS owner shall use the statements specified in this part, as applicable, as the statement required by Env-Dw 801.03(c) to describe the adverse health effects for the IOC contaminants specified in Env-Dw 704.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 806.02 Antimony. For antimony violations, the statement shall read as follows:

"Some people who drink water containing antimony well in excess of the MCL over many years could experience increases in blood cholesterol and decreases in blood sugar."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 806.03 Arsenic. For arsenic violations, the statement shall read as follows:

"Some people who drink water containing arsenic in excess of the MCL over many years could experience skin damage or problems with their circulatory system, and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 806.04 Asbestos. For asbestos violations, the statement shall read as follows:

"Some people who drink water containing asbestos in excess of the MCL over many years may have an increased risk of developing benign intestinal polyps."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 806.05 Barium. For barium violations, the statement shall read as follows:

"Some people who drink water containing barium in excess of the MCL over many years could experience an increase in their blood pressure."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 806.06 Beryllium. For beryllium violations, the statement shall read as follows:

"Some people who drink water containing beryllium well in excess of the MCL over many years could develop intestinal lesions."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 806.07 Cadmium. For cadmium violations, the statement shall read as follows:

"Some people who drink water containing cadmium in excess of the MCL over many years could experience kidney damage."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 806.08 Chromium. For chromium violations, or total chromium violations, the statement shall read as follows:

"Some people who use water containing chromium well in excess of the MCL over many years could experience allergic dermatitis."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 806.09 Cyanide. For cyanide violations, the statement shall read as follows:

"Some people who drink water containing cyanide well in excess of the MCL over many years could experience nerve damage or problems with their thyroid."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 806.10 Fluoride MCL. For a violation of the MCL for fluoride specified in Env-Dw 704, the statement shall read as follows:

"Some people who drink water containing fluoride in excess of the MCL over many years could get bone disease, including pain and tenderness of the bones. Fluoride in drinking water at half the MCL or more may cause mottling of children's teeth, usually in children less than nine years old. Mottling, also known as dental fluorosis, may include brown staining and/or pitting of the teeth, and occurs only in developing teeth before they erupt from the gums."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 806.11 Fluoride SMCL. For an exceedance of the secondary MCL for fluoride specified in Env-Dw 706.01(b), the statement shall read as follows:

"This is an alert about your drinking water and a cosmetic dental problem that might affect children under 9 years of age. At low levels, fluoride can help prevent cavities, but children drinking water more than 2 milligrams per liter (mg/l) of fluoride may develop cosmetic discoloration of their permanent teeth (dental fluorosis). The drinking water provided by your community water system [name] has a fluoride concentration of [insert value] mg/l.

Dental fluorosis, in its moderate or severe forms, may result in brown staining and or pitting of the permanent teeth. This problem occurs only in developing teeth, before they erupt from the gums. Children under nine should be provided with alternative sources of drinking water or water that has been treated to remove the fluoride to avoid the possibility of staining and pitting of their permanent teeth. You may also want to contact your dentist about proper use by young children of fluoride-containing products. Older children and adults may safely drink the water.

Drinking water containing more than 4 mg/l of fluoride (the U.S. Environmental Protection Agency's drinking water standard) can increase your risk of developing bone disease. Your drinking water does not contain more than 4 mg/l of fluoride, but we are required to notify you when we discover that fluoride levels in your drinking water exceed 2 mg/l because of this cosmetic dental problem.

For more information, please call [name of water system contact] of [name of community water system] at [telephone number]. Some home water treatment units are also available to remove fluoride from drinking water. To learn more about available home water treatment units, you may call NSF International at 1-877-8-NSF-HELP.

Please share this information with all the other people who have children who drink this water, especially those who may not have received this notice directly (for example, people in

apartments, schools, and daycares). You can do this by posting this notice in a public place or distributing copies by hand or mail."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 806.12 Mercury. For mercury violations, the statement shall read as follow:

"Some people who drink water containing inorganic mercury well in excess of the MCL over many years could experience kidney damage."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 806.13 Nitrate. For nitrate violations, the statement shall read as follows:

"Infants below the age of six months who drink water containing nitrate in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 806.14 Nitrite. For nitrite violations, the statement shall read as follows:

"Infants below the age of six months who drink water containing nitrite in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.";

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 806.15 Total Nitrate and Nitrite. For total nitrate and nitrite violations, the statement shall read as follows:

"Infants below the age of six months who drink water containing nitrate and nitrite in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.";

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 806.16 Selenium. For selenium violations, the statement shall read as follows:

"Selenium is an essential nutrient. However, some people who drink water containing selenium in excess of the MCL over many years could experience hair or fingernail losses, numbness in fingers or toes, or problems with their circulation."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 806.17 Thallium. For thallium violations, the statement shall read as follows:

"Some people who drink water containing thallium in excess of the MCL over many years could experience hair loss, changes in their blood, or problems with their kidneys, intestines, or liver."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

PART Env-Dw 807 HEALTH EFFECTS LANGUAGE FOR VOLATILE ORGANIC CHEMICAL (VOC) CONTAMINANTS

Env-Dw 807.01 Required Health Effects Language for Regulated Volatile Organic Chemical (VOC) Contaminants. The PWS owner shall use the statements specified in this part, as applicable, as the statement required by Env-Dw 801.03(c) to describe the adverse health effects for the VOC contaminants specified in Env-Dw 705.01 and for exceedances of an AGQS for a VOC specified in Env-Or 600.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.02 Benzene. For benzene violations, the statement shall read as follows:

"Some people who drink water containing benzene in excess of the MCL over many years could experience anemia or a decrease in blood platelets, and may have an increased risk in getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.03 Carbon Tetrachloride. For carbon tetrachloride violations, the statement shall read as follows:

"Some people who drink water containing carbon tetrachloride in excess of the MCL over many years could experience problems with their liver and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.04 o-Dichlorobenzene (1,2-Dichlorobenzene). For o-dichlorobenzene or 1,2-dichlorobenzene violations, the statement shall read as follow:

"Some people who drink water containing o-dichlorobenzene well in excess of the MCL over many years could experience problems with their liver, kidneys or circulatory systems."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.05 para-Dichlorobenzene (1,4-Dichlorobenzene). For p-dichlorobenzene or 1,4-dichlorobenzene violations, the statement shall read as follows:

"Some people who drink water containing p-dichlorobenzene in excess of the MCL over many years could experience anemia, damage to their liver, kidneys, or spleen, or changes in their blood."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.06 1,2-Dichloroethane. For 1,2-dichloroethane violations, the statement shall read as follows:

"Some people who drink water containing 1,2-dichloroethane in excess of the MCL over many years may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Env-Dw 807.07 1,1-Dichloroethylene. For 1,1-dichloroethylene violations, the statement shall read as follows:

"Some people who drink water containing 1,1 dichloroethylene in excess of the MCL over many years could experience problems with their liver."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.08 cis-1,2-Dichloroethylene. For cis-1,2-dichloroethylene violations, the statement shall read as follows:

"Some people who drink water containing cis-1,2-dichloroethylene in excess of the MCL over many years could experience problems with their liver."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.09 trans-1,2-Dichloroethylene. For trans-1,2-dichloroethylene violations, the statement shall read as follows:

"Some people who drink water containing trans-1,2-dichloroethylene well in excess of the MCL over many years could experience problems with their liver."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.10 Dichloromethane (Methylene Chloride). For dichloromethane or methylene chloride violations, the statement shall read as follows:

"Some people who drink water containing dichloromethane in excess of the MCL over many years could have liver problems and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.11 1,2-Dichloropropane. For 1,2-dichloropropane violations, the statement shall read as follows:

"Some people who drink water containing 1,2-dichloropropane in excess of the MCL over many years may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.12 Diisopropyl ether (DIPE). For diisopropyl (DIPE) violations, the statement shall read as follows:

"Some people who drink water containing diisopropyl ether (DIPE) in excess of the New Hampshire Ambient Groundwater Quality Standard (AGQS) over many years may experience toxic effects to their liver and kidneys."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.13 1,4-Dioxane. For 1,4-dioxane violations, the statement shall read as follows:

"Some people who drink water containing 1,4-dioxane in excess of the Ambient Groundwater Quality Standard (AGQS) over many years may experience toxic effects to their liver and kidney as well as have an increased risk of developing cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.14 Ethyl tertiary butyl ether (EtBE). For ethyl tertiary butyl (EtBE) violations, the statement shall read as follows:

"Some people who drink water containing ethyl tertiary butyl ether (ETBE) in excess of the New Hampshire Ambient Groundwater Quality Standard (AGQS) over many years may experience toxic effects to their liver, kidneys, and bone marrow as well as have an increased risk of developing cancer.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.15 Ethylbenzene. For ethylbenzene violations, the statement shall read as follow:

"Some people who drink water containing ethylbenzene well in excess of the MCL over many years could experience problems with their liver or kidneys."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.16 Methyl tertiary-butyl ether (MtBE). For methyl tertiary-butyl ether (MtBE) violations, the statement shall read as follows:

"Some people who drink water containing MtBE in excess of the MCL over many years could experience problems with their kidneys and may have an increased risk of getting cancer".

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.17 Monochlorobenzene (chlorobenzene). For monochlorobenzene or chlorobenzene violations, the statement shall read as follows:

"Some people who drink water containing chlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.18 Styrene. For styrene violations, the statement shall read as follows:

"Some people who drink water containing styrene well in excess of the MCL over many years could have problems with their liver, kidneys, or circulatory system."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.19 Tertiary amyl methyl ether (TAME). For tertiary amyl methyl ether (TAME) violations, the statement shall read as follows:

"Some people who drink water containing tertiary amyl methyl ether (TAME) in excess of the New Hampshire Ambient Groundwater Quality Standard (AGQS) over many years may experience toxic effects to their kidneys and adrenal gland as well as have an increased risk of developing cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Env-Dw 807.20 Tertiary butyl alcohol (TBA). For tertiary butyl alcohol (TBA) violations, the statement shall read as follows:

"Some people who drink water containing tertiary butyl alcohol (TBA) in excess of the New Hampshire Ambient Groundwater Quality Standard (AGQS) over many years may experience toxic effects to their kidneys, bladder, and thyroid gland as well as have an increased risk of developing cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.21 Tetrachloroethylene. For tetrachloroethylene violations, the statement shall read as follows:

"Some people who drink water containing tetrachloroethylene in excess of the MCL over many years could have problems with their liver, and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.22 Toluene. For toluene the statement shall read as follows:

"Some people who drink water containing toluene well in excess of the MCL over many years could have problems with their nervous system, kidneys, or liver."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.23 1,2,4- Trichlorobenzene. For 1,2,4 trichlorobenzene violations, the statement shall read as follows:

"Some people who drink water containing 1,2,4-trichlorobenzene well in excess of the MCL over many years could experience changes in their adrenal glands."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.24 1,1,1-Trichloroethane. For 1,1,1-trichloroethane violations, the statement shall read as follows:

"Some people who drink water containing 1,1,1-trichloroethane in excess of the MCL over many years could experience problems with their liver, nervous system, or circulatory system."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.25 1,1,2-Trichloroethane. For 1,1,2 trichloroethane violations, the statement shall read as follows:

"Some people who drink water containing 1,1,2-trichloroethane well in excess of the MCL over many years could have problems with their liver, kidneys, or immune systems."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.26 Trichloroethylene. For trichloroethylene violations, the statement shall read as follows:

"Some people who drink water containing trichloroethylene in excess of the MCL over many

years could experience problems with their liver and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.27 Vinyl chloride. For vinyl chloride violations, the statement shall read as follows:

"Some people who drink water containing vinyl chloride in excess of the MCL over many years may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 807.28 Xylene, Total. For total xylenes violations, the statement shall read as follows:

"Some people who drink water containing xylenes in excess of the MCL over many years could experience damage to their nervous system."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

PART Env-Dw 808 HEALTH EFFECTS LANGUAGE FOR SYNTHETIC ORGANIC CHEMICAL (SOC) CONTAMINANTS

Env-Dw 808.01 Required Health Effects Language for Regulated Synthetic Organics Chemical (SOC) Contaminants. The PWS owner shall use the statements specified in this part, as applicable, as the statement required by Env-Dw 801.03(c) to describe the adverse health effects for the synthetic organic chemical (SOC) contaminants specified in Env-Dw 705.02.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.02 Alachlor (Lasso). For alachlor violations, the statement shall read as follows:

"Some people who drink water containing alachlor in excess of the MCL over many years could have problems with their eyes, liver, kidneys, or spleen, or experience anemia, and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.03 Aldicarb (Temik). For aldicarb violations, the statement shall read as follows:

"The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that aldicarb is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Under certain soil and climate conditions (e.g. sandy soil and high rainfall), aldicarb may leach into groundwater after normal agricultural application to crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. EPA has set the drinking water standard for aldicarb at 0.003 parts per million (ppm) to protect against the risk of adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to aldicarb."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.04 Aldicarb Sulfoxide. For aldicarb sulfoxide violations, the statement shall read as follows:

"The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that aldicarb sulfoxide is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Aldicarb sulfoxide in groundwater is primarily a breakdown product of aldicarb. Under certain soil and climate conditions (e.g. sandy soil and high rainfall) aldicarb sulfoxide may leach into groundwater after normal agricultural application to crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface water runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. EPA has set the drinking water standard for aldicarb sulfoxide at 0.004 parts per million (ppm) to protect against the risk of adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to aldicarb sulfoxide."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.05 Aldicarb Sulfone (Aldoxycarb). For aldicarb sulfone violations, the statement shall read as follows:

"The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that aldicarb sulfone is a health concern at certain levels of exposure. Aldicarb is a widely used pesticide. Aldicarb sulfone is formed from the breakdown of aldicarb and is considered for registration as a pesticide under the name aldoxycarb. Under certain soil and climate conditions (e.g. sandy soil and high rainfall) aldicarb sulfone may leach into groundwater after normal agricultural application to crops such as potatoes or peanuts or may enter drinking water supplies as a result of surface runoff. This chemical has been shown to damage the nervous system in laboratory animals such as rats and dogs exposed to high levels. EPA has set the drinking water standard for aldicarb sulfone at 0.002 parts per million (ppm) to protect against the risk of adverse health effects. Drinking water that meets the EPA standard is associated with little to none of this risk and is considered safe with respect to aldicarb sulfone."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.06 Atrazine (Atranex, Crisazine). For atrazine violations, the statement shall read as follows:

"Some people who drink water containing atrazine well in excess of the MCL over many years could experience problems with their cardiovascular system or reproductive difficulties."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.07 Carbofuran (Furadon, 4F). For carbofuran violations, the statement shall read as follows:

"Some people who drink water containing carbofuran in excess of the MCL over many years could experience problems with their blood, or nervous or reproductive systems."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.08 Chlordane. For chlordane violations, the statement shall read as follows:

"Some people who drink water containing chlordane in excess of the MCL over many years could experience problems with their liver or nervous system, and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.09 Dalapon. For dalapon violations, the statement shall read as follows:

"Some people who drink water containing dalapon well in excess of the MCL over many years could experience minor kidney changes."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.10 Dibromochloropropane (DBCP). For dibromochloropropane (DBCP) violations, the statement shall read as follows:

"Some people who drink water containing DBCP in excess of the MCL over many years could experience reproductive difficulties and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.11 Di(2-ethylhexyl)adipate. For di (2-ethylhexyl)adipate violations, the statement shall read as follows:

"Some people who drink water containing di (2-ethylhexyl) adipate well in excess of the MCL over many years could experience toxic effects such as weight loss, liver enlargement or possible reproductive difficulties."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.12 Di(2-ethylhexyl)phthalate. For di (2-ethylhexyl)phthalate violations, the statement shall read as follows:

"Some people who drink water containing di (2-ethylhexyl) phthalate well in excess of the MCL over many years may have problems with their liver, or experience reproductive difficulties, and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.13 Dinoseb. For dinoseb violations, the statement shall read as follows:

"Some people who drink water containing dinoseb well in excess of the MCL over many years could experience reproductive difficulties."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.14 Diquat. For diquat violations, the statement shall read as follows:

"Some people who drink water containing diquat in excess of the MCL over many years could get cataracts."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.15 Endothall. For endothall violations, the statement shall read as follows:

"Some people who drink water containing endothall in excess of the MCL over many years could experience problems with their stomach or intestines."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.16 Endrin. For endrin violations, the statement shall read as follows:

"Some people who drink water containing endrin in excess of the MCL over many years could experience liver problems."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.17 Ethylene Dibromide (EDB). For ethylene dibromide (EDB) violations, the statement shall read as follows:

"Some people who drink water containing ethylene dibromide in excess of the MCL over many years could experience problems with their liver, stomach, reproductive system, or kidneys, and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.18 Glyphosate. For glyphosate violations, the statement shall read as follows:

"Some people who drink water containing glyphosate in excess of the MCL over many years could experience problems with their kidneys or reproductive difficulties."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.19 Heptachlor. For heptachlor violations, the statement shall read as follows:

"Some people who drink water containing heptachlor in excess of the MCL over many years could experience liver damage and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.20 Heptachlor Epoxide. For heptachlor epoxide violations, the statement shall read as follows:

"Some people who drink water containing heptachlor epoxide in excess of the MCL over many years could experience liver damage, and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.21 Hexachlorobenzene. For hexachlorobenzene violations, the statement shall read as follows:

"Some people who drink water containing hexachlorobenzene in excess of the MCL over many years could experience problems with their liver or kidneys, or adverse reproductive effects, and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.22 Hexachlorocyclopentadiene. For hexachlorocyclopentadiene violations, the statement shall read as follows:

"Some people who drink water containing hexachlorocyclopentadiene well in excess of the MCL over many years could experience problems with their kidneys or stomach."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.23 Lindane. For lindane violations, the statement shall read as follows:

"Some people who drink water containing lindane in excess of the MCL over many years could experience problems with their kidneys or liver."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.24 Methoxychlor (DMDT, Martate). For methoxychlor violations, the statement shall read as follows:

"Some people who drink water containing methoxychlor in excess of the MCL over many years could experience reproductive difficulties."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.25 Oxamyl (Vydate). For oxamyl, or vydate, violations, the statement shall read as follows:

"Some people who drink water containing oxamyl in excess of the MCL over many years could experience slight nervous system effects."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.26 Benzo(a)pyrene (PAHs). For benzo(a)pyrene (PAH) violations, the statement shall read as follows:

"Some people who drink water containing benzo(a)pyrene in excess of the MCL over many years may experience reproductive difficulties and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.27 Picloram. For picloram violations, the statement shall read as follows:

"Some people who drink water containing picloram in excess of the MCL over many years could experience problems with their liver."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.28 Polychlorinated Biphenyls (PCBs). For polychlorinated biphenyls (PCBs) violations, the statement shall read as follows:

"Some people who drink water containing PCBs in excess of the MCL over many years could experience changes in their skin, problems with their thymus gland, immune deficiencies, or reproductive or nervous system difficulties, and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.29 Pentachlorophenol. For pentachlorophenol violations, the statement shall read as follows:

"Some people who drink water containing pentachlorophenol in excess of the MCL over many years could experience problems with their liver or kidneys, and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.30 Simazine. For simazine violations, the statement shall read as follows:

"Some people who drink water containing simazine in excess of the MCL over many years could experience problems with their blood."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.31 Toxaphene. For toxaphene violations, the statement shall read as follows:

"Some people who drink water containing toxaphene in excess of the MCL over many years could have problems with their kidneys, liver, or thyroid, and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.32 2,3,7,8 TCDD (Dioxin). For 2,3,7,8-TCDD, or dioxin, violations, the statement shall read as follows:

"Some people who drink water containing dioxin in excess of the MCL over many years could experience reproductive difficulties and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.33 2,4,5 TP (Silvex). For 2,4,5-TP, or silvex, violations, the statement shall read as follows:

"Some people who drink water containing silvex in excess of the MCL over many years could experience liver problems."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 808.34 2,4 D. For 2,4-D violations, the statement shall read as follows:

"Some people who drink water containing the weed killer 2,4-D well in excess of the MCL over many years could experience problems with their kidneys, liver, or adrenal glands."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

PART Env-Dw 809 HEALTH EFFECTS LANGUAGE FOR REGULATED DISINFECTION BY-PRODUCTS (DBPs), DISINFECTANT RESIDUALS, AND SPECIAL TREATMENT CHEMICALS

Env-Dw 809.01 Required Health Effects Language for Regulated Disinfection By-products (DBPs), Disinfectant Residuals, and Special Treatment Chemicals. The PWS owner shall use the statements specified in this part, as applicable, as the statement required by Env-Dw 801.03(c) to describe the adverse health effects for violations of:

(a) The maximum disinfection byproducts (DBPs) and maximum disinfectant residuals (MRDLs) specified in Env-Dw 705.03 and Env-Dw 705.04; and

(b) The acrylamide/epichlorohydrin MCLs specified in Env-Dw 705.05.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 809.02 Acrylamide. For acrylamide violations, the statement shall read as follows:

"Some people who drink water containing high levels of acrylamide over a long period of time could have problems with their nervous system or blood, and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 809.03 Bromate. For bromate the statement shall read as follows:

"Some people who drink water containing bromate in excess of the MCL over many years may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 809.04 Chloramine. For chloramine violations, the statement shall read as follows:

"Some people who use water containing chloramines well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chloramines well in excess of the MRDL could experience stomach discomfort or anemia."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 809.05 Chlorine. For chlorine violations, the statement shall read as follows:

"Some people who use water containing chlorine well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chlorine well in excess of the MRDL could experience stomach discomfort."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 809.06 Chlorine Dioxide.

(a) For chlorine dioxide violations where any 2 consecutive daily samples collected at the entrance to the distribution system exceed the MRDL, the statement shall read as follows:

"Some infants and young children who drink water containing chlorine dioxide in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorine dioxide in excess of the MRDL. Some people may experience anemia.

The chlorine dioxide violations reported today are the result of exceedances at the treatment facility only, not within the distribution system which delivers water to consumers. Continued compliance with chlorine dioxide levels within the distribution system minimizes the potential risk of these violations to consumers."

(b) For chlorine dioxide violations where one or more distribution samples are above the MRDL, the statement shall state:

"Some infants and young children who drink water containing chlorine dioxide in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorine dioxide in excess of the MRDL. Some people may experience anemia.

The chlorine dioxide violations reported today include exceedances of the EPA standard within the distribution system which delivers water to consumers. Violations of the chlorine dioxide standard within the distribution system may harm human health based on short-term exposures. Certain groups, including fetuses, infants, and young children, may be especially susceptible to nervous system effects from excessive chlorine dioxide exposure."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 809.07 Chlorite. For chlorite the statement shall read as follows:

"Some infants and young children who drink water containing chlorite in excess of the MCL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorite in excess of the MCL. Some people may experience anemia."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 809.08 Disinfectant By-Product Precursors. For disinfectant by-product precursors, the statement shall read as follows:

"Total organic carbon (TOC) has no health effects. However, total organic carbon provides a medium for the formation of disinfection by-products. These by-products include trihalomethanes (THMs) and haloacetic acids (HAAs). Drinking water containing these by-products in excess of the MCL may lead to adverse health effects, liver or kidney problems, or nervous system effects, and may lead to an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 809.09 Epichlorohydrin. For epichlorohydrin violations, the statement shall read as follows:

"Some people who drink water containing high levels of epichlorohydrin over a long period of time could experience stomach problems, and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 809.10 Haloacetic Acids (HAA). For Haloacetic Acids (HAA) the statement shall read as follows:

"Some people who drink water containing haloacetic acids in excess of the MCL over many years may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 809.11 Total Trihalomethanes (TTHM). For total trihalomethane violations, the statement shall read as follows:

"Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys, or central nervous system, and may have an increased risk of getting cancer."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

PART Env-Dw 810 HEALTH EFFECTS LANGUAGE FOR GROUNDWATER MONITORING AND TREATMENT

Env-Dw 810.01 Required Health Effects Language. The PWS owner shall use the statement(s) specified in this part, as applicable, as the statement required by Env-Dw 801.03(c) to describe violations of groundwater monitoring and treatment requirements specified in Env-Dw 717.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 810.02 Groundwater Monitoring and Treatment Violations. The statement required by Env-Dw 801.03(c) to describe groundwater monitoring and treatment technique violations shall read as follows:

"Inadequately treated or inadequately protected water may contain disease-causing organisms. These organisms can cause symptoms such as diarrhea, nausea, cramps, and associated headaches."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

PART Env-Dw 811 CONSUMER CONFIDENCE REPORTS

Env-Dw 811.01 Purpose and Applicability.

(a) The purpose of this part is to establish the minimum requirements for the content and delivery of the consumer confidence report.

(b) The purpose of the consumer confidence report is to:

- (1) Provide water quality information as specified in this part to customers of CWS; and
- (2) Characterize the risks, if any, from exposure to contaminants detected in the drinking water in an accurate and understandable manner.

(c) This part shall apply only to CWS.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.02 Definitions. For purposes of this part, the following definitions shall apply unless otherwise specified:

(a) “Action level (AL)” means the concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow;

(b) “Consumer confidence report (CCR)” means an annual report supplied by a community water system owner to customers which contains information on the quality of their drinking water;

(c) “Customers” means billing units or service connections to which water is delivered by a CWS;

(d) “Detected” means the presence of any primary or secondary drinking water contaminant including:

- (1) Microbiological;
- (2) Radiological;
- (3) IOCs;
- (4) VOCs;
- (5) SOCs; and
- (6) Disinfection by-products;

(e) “Regulated contaminant” means a contaminant that is subject to a maximum contaminant level (MCL), action level (AL), maximum residual disinfectant level (MRDL), or treatment technique (TT); and

(f) “Unregulated contaminant” means a contaminant specified in 40 CFR 141.40.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.03 Timing and Certification of Distribution.

(a) No later than July 1 of each year, each CWS owner shall provide a copy of the CCR to each customer and the department as specified in Env-Dw 811.22.

(b) Within 10 days of distribution to consumers, but in no event later than July 10 of each year, the CWS owner shall certify to the department that:

(1) The CCR has been distributed to customers; and

(2) The information in the CCR is correct and consistent with the compliance monitoring data previously submitted to the department.

(c) The owner of a new CWS shall file the first CCR by July 1 of the year after its first full calendar year in operation and annually thereafter.

(d) A CWS owner who sells water to another CWS shall provide the buyer with applicable information required in this part to the receiving system:

(1) No later than April 1 of each year; or

(2) On a date mutually agreed upon by the seller and the purchaser, and specifically included in a contract between the parties.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.04 Content of the CCR.

(a) The CCR shall contain the information specified in this part.

(b) The CWS owner may include such additional information in the CCR as the owner deems necessary for public education consistent with, and not detracting from, the required content of the CCR.

(c) In a community where the population of non-English speaking residents exceeds 20% of the community population, the CCR shall contain:

(1) Information in the appropriate language(s) regarding the importance of the CCR; or

(2) A telephone number and address, in the appropriate language, where a translated notice or further information regarding the notice can be obtained.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.05 Contact and Participation Information.

(a) The CCR shall contain the names and telephone numbers of the CWS owner and primary operator.

(b) The CCR may contain the name and telephone number of a designee of the owner or primary operator, or both.

(c) The CCR shall contain information about opportunities for public participation in decisions that affect the quality of water which includes, but is not limited to, the time and place of regularly scheduled water utility board meetings.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.06 Source Water; Bulk Water Deliveries.

(a) In the CCR, the CWS owner shall identify the source of the system's water by:

(1) The type of water, such as surface water or groundwater or a combination of both;

(2) The commonly used name, if any, of each source; and

(3) If surface water, the location of the body or bodies of water.

(b) If a CWS owner has received a source water assessment from the department, the CCR shall:

(1) Include either:

- a. A brief summary of the CWS's susceptibility to potential sources of contamination, using language written by the department contained in the source water assessment; or
- b. A brief summary of the CWS's susceptibility to potential sources of contamination written by the owner; and

(2) Inform customers of the availability of the assessment and how to obtain it.

(c) If bulk water was delivered to the CWS during the period covered by the CCR, the CWS owner shall include the following information regarding each delivery in the CCR:

- (1) The date of delivery;
- (2) The reason(s) for delivery;
- (3) The source of the water delivered; and
- (4) The total amount of water delivered.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.07 Health Effects Language.

(a) The CCR shall contain the following general health statements:

"Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline at 800-426-4791.

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/CDC guidelines on appropriate means to lessen the risk of infection by Cryptosporidium and other microbial contaminants are available from the Safe Drinking Water Hotline at 800-426-4791."

(b) The CCR also shall contain an explanation regarding specific contaminants which might be expected to be found in drinking water, including bottled water.

(c) Subject to (d), below, the CWS owner shall use the following language to satisfy the requirements of (b), above:

"The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity.

Contaminants that may be present in source water include:

Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.

Inorganic contaminants, such as salts and metals, which can be naturally occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining or farming.

Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses.

Organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems.

Radioactive contaminants, which can be naturally- occurring or be the result of oil and gas production and mining activities.

In order to ensure that tap water is safe to drink, EPA prescribes regulations which limit the amount of certain contaminants in water provided by public water systems. The United States Food and Drug Administration (FDA) regulations establish limits for contaminants in bottled water which must provide the same protection for public health."

(d) In lieu of using the language specified in (c), above, the CWS owner may use language developed for that CWS, provided the language conveys the same information as specified in (c), above.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.08 Technical Definitions in the CCR.

(a) The CCR shall contain the following definitions:

"Maximum Contaminant Level Goal or MCLG: The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety."

"Maximum Contaminant Level or MCL: The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology."

(b) If the CCR contains any of the following terms, then each term shall be defined using the following applicable definition:

"Treatment technique or TT: A required process intended to reduce the level of a contaminant in drinking water."

"Action level or AL: The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow."

"Ambient groundwater quality standard or AGQS: The maximum concentration levels for contaminants in groundwater that are established under RSA 485-C, the Groundwater Protection Act."

"Maximum residual disinfectant level goal or MRDLG: The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants."

"Maximum residual disinfectant level or MRDL: The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants."

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.09 Detected Contaminants.

(a) The CWS owner shall include data in the manner specified in Env-Dw 811.11 if any of the following are detected in the water provided by the CWS:

- (1) Regulated contaminant(s) as defined in Env-Dw 811.02(e);
- (2) Unregulated contaminant(s) as regulated under 40 CFR 141.40; or
- (3) Disinfection by-products or microbial contaminants other than cryptosporidium for which monitoring is required by Env-Dw 712.17 through Env-Dw 712.20, and which are detected in the finished water.

(b) The CCR shall identify the probable source of the contaminant. If the CWS owner lacks specific information on the likely source(s) of contamination, the owner shall use the language specified in Env-Dw 811.20.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.10 Reporting of Violations.

(a) If a drinking water monitoring requirement, public notice requirement, MCL, MRDL, or treatment technique has been violated, the CCR shall, in the table format specified in Env-Dw 811.11:

- (1) Provide a clear, understandable explanation of the violation;
- (2) Identify the MCL, MRDL, MCLG, and MRDLG, as applicable, as specified in (c), below;
- (3) Identify the length of time the violation occurred or, if the violation is continuing, the date the violation first occurred;
- (4) Describe the potential health effects of the MCL, MRDL, or treatment technique violation by using the applicable health effects language as specified in Env-Dw 811.21; and
- (5) Describe the action(s) taken by the CWS to address the violation.

(b) If a violation of filtration or disinfection processes as specified in Env-Ws 380 or successor rules in Env-Dw 716 is reported, the CCR shall contain the following statement:

"Inadequately treated water may contain disease causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches."

(c) The MCL, MRDL, MCLG, and MRDLG for a contaminant shall be expressed in identical units as a number equal to or greater than 1.0, as specified in Appendix B.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.11 Data Presentation: Format.

(a) The CCR shall contain the contaminant information specified in Env-Dw 811.09 and Env-Dw 811.10 in a table format.

(b) If a CWS owner chooses to include data not required by this part to be reported in the CCR, a separate table shall be used for such data.

(c) If a CWS distributes water from multiple hydraulically-independent distribution systems that are fed by different raw water sources, the CCR shall contain, in table form:

- (1) A separate column for each service area; and
- (2) The identity of each separate distribution system.

(d) The CCR shall be based on data collected during the previous calendar year that was used to determine compliance with EPA's monitoring and analytical requirements as specified in 40 CFR 141 and 40 CFR 143, and the department's monitoring and analytical requirements as specified in Env-Ws 300 or successor rules in Env-Dw 700, except that:

- (1) Where a CWS owner is required to monitor for a regulated contaminant less frequently than once a year, the CCR shall:
 - a. Include the date and results of the most recent sampling period;
 - b. Include a brief statement indicating that the data presented in the CCR is from the most recent sampling period in accordance with department rules; and
 - c. Not include any data older than 5 years; and
- (2) Results of monitoring in compliance with Env-Dw 705 and Env-Dw 706 shall only be included for 5 years from the date of the last sample or until any of the detected contaminants becomes regulated and subject to routine monitoring requirements, whichever comes first.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.12 Data Presentation: Specific Contaminants. For any of the following contaminants that is detected, the table shall:

(a) For fecal coliforms or E. coli:

- (1) Identify the total number of positive samples;
- (2) Provide information on the likely source of the fecal coliforms or E. coli which may be available in sanitary survey reports and source water assessments; and
- (3) Provide the source information language specified in Env-Dw 811.20 for fecal coliforms or E. coli, if the CWS owner lacks specific information on the likely source(s) of contamination.

(b) For total coliforms:

- (1) Identify the highest monthly number of positive samples for a CWS collecting fewer than 40 samples per month;
- (2) Identify the highest monthly percentage of positive samples for a CWS collecting 40 samples per month or greater; and

(3) Provide the source information language specified in Env-Dw 811.20, if the CWS owner lacks specific information on the likely source(s) of total coliform.

(c) For lead or copper:

- (1) Identify the 90th percentile value of the most recent round of sampling;
- (2) Identify the number of sampling sites exceeding the AL as defined in Env-Ws 381.03 or successor rules in Env-Dw 714; and
- (3) Identify the source of the lead or copper, or both, as applicable, using the source information language specified in Env-Dw 811.20.

(d) For turbidity:

- (1) When a CWS owner reports turbidity to the department pursuant to Env-Ws 380.20 and Env-Ws 380.21 or successor rules in Env-Dw 716, identify:
 - a. The highest average monthly value; and
 - b. The highest monthly value including an explanation of the reasons for measuring turbidity;
- (2) Identify the highest single measurement and the lowest monthly percentage of samples meeting the turbidity limits specified in Env-Ws 380.12 or successor rule in Env-Dw 716.04 for the filtration technology being used; and
- (3) When a CWS owner is required to report pursuant to b. above, an explanation of the reasons for measuring turbidity.

(e) For unregulated contaminants, except for cryptosporidium, for which monitoring is required:

- (1) Identify the average and the range at which the contaminant was detected; and
- (2) Explain the reasons for monitoring for unregulated contaminants.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.13 Data Presentation: No MCL. If there is no MCL for a detected contaminant, the CCR shall:

- (a) Describe the treatment technique being used, if any, to treat that particular contaminant;
- (b) Identify the AL or AGQS applicable to that contaminant; and
- (c) Include the definitions of TT, AL, and AGQS, as specified in Env-Dw 811.08(b), if the terms are used in the CCR.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.14 Data Presentation: Reporting Detection Levels and Ranges; Rounding.

(a) For contaminants subject to an MCL other than turbidity and total coliforms, the highest contaminant level used to determine compliance with Env-Dw 702 and Env-Dw 706 and the range of detected levels shall be calculated as follows:

- (1) When compliance with the MCL is determined annually or less than annually, the CCR shall identify the highest detected level at any sampling point and the range of detected levels expressed in the same units as the MCL;

(2) When compliance with the MCL is determined by calculating a running annual average of all samples taken at a sampling point, the CCR shall identify the highest average of any of the sampling points and the range of all sampling points expressed in the same units as the MCL; and

(3) When compliance with the MCL is determined on a system-wide basis by calculating a running annual average of all samples at all sampling points, the CCR shall identify the average and range of detection expressed in the same units as the MCL.

(b) When rounding results to determine compliance with an MCL is allowed by rule, rounding shall be calculated prior to multiplying the results by the factor listed in Appendix B.

(c) The CCR shall identify the AL or MCL applicable to that contaminant, expressed as a number equal to or greater than 1.0.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.15 Additional Information Required for Groundwater Systems.

(a) Subject to (b), below, the owner of a PWS using groundwater that is subject to Env-Dw 717 relative to groundwater monitoring and treatment shall include the following in the CCR or annual notice if required pursuant to Env-Dw 717:

(1) An explanation of each significant deficiency identified by the department pursuant to Env-Dw 717 that has not been corrected; and

(2) A list containing the information specified in (c), below, for each positive E. coli result.

(b) The owner shall inform the public annually until the significant deficiency is corrected or the groundwater contamination is addressed.

(c) Each report required under (a) and (b), above, shall include, as applicable:

(1) The nature of the significant deficiency and the date of discovery;

(2) The source of the E. coli contamination, if known, and the date(s) of the positive sample results;

(3) The health effects language in Env-Dw 811.21;

(4) The date that the deficiencies or contamination issues were addressed; and

(5) For all unresolved issues, the department approved plan and schedule for correction, including interim measures, progress to date, and any completed interim measures.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.16 Cryptosporidium and Radon.

(a) When monitoring, including monitoring to meet the requirements of 40 CFR 141.143, has been performed which indicates that cryptosporidium might be present in the source water or the finished water, the CCR shall:

(1) Include a summary of the results of the monitoring; and

(2) Explain the significance of the results.

(b) If radon is present in the finished water, the CCR shall:

- (1) Include the results of the monitoring; and
- (2) Explain the significance of the results.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.17 Reporting of Monitoring and Compliance Data.

(a) A CWS owner shall include the statements specified in (b) through (h), below, in the CCR, as applicable.

(b) If a CWS owner has failed to install adequate filtration or disinfection equipment or processes, or has had a failure of such equipment or processes which constitutes a violation, the following language shall be used as part of the explanation of potential adverse health effects:

"Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches."

(c) If a CWS owner has failed to take one or more actions specified by the lead and copper corrosion control requirements of Env-Ws 381 or successor rules in Env-Dw 714, the CCR shall include an explanation of the violation and the applicable health effects information as specified in Env-Dw 804.02 or 804.03 for lead or copper, or both, as applicable.

(d) If a CWS owner uses treatment techniques for acrylamide and epichlorohydrin which violate Env-Dw 705, the CCR shall include an explanation of the violation and the applicable health effects information for acrylamide or epichlorohydrin, or both, as applicable, as specified in Env-Dw 809.10 and Env-Dw 809.11.

(e) If the CWS owner has performed additional monitoring which indicates the presence of other contaminants in the finished water, the owner may contact the department's bureau of environmental and occupational health for an assessment of health risk.

(f) Where the assessment specified in (e), above, determines that the risk is excessive, the CWS owner shall provide a brief explanation of those contaminants, including:

- (1) The results of the monitoring; and
- (2) An explanation of the significance of the results noting the existence of a health advisory or a proposed regulation.

(g) The CCR shall include the results of any monitoring conducted for:

- (1) Unregulated contaminants, pursuant to 40 CFR 141.40; and
- (2) Sodium, per Env-Ws 329.08 or successor rules in Env-Dw 713.08.

(h) If there have been any violations of the conditions of a variance or exemption, or of an administrative or judicial order, the CCR shall include an explanation of all such violations and what the CWS owner is doing to correct the violations.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.18 Variance and Exemption. If a CWS owner is operating under the terms of a variance or an exemption issued pursuant to Env-Ws 340 through Env-Ws 349 or successor rules in subtitle Env-Dw, the CCR shall contain the information specified in Env-Dw 802.06.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.19 Detections of Arsenic, Nitrate, Lead, and Total Trihalomethanes.

(a) The owner of a CWS at which arsenic is detected above 0.005 mg/L shall include in the CCR the following:

(1) The source information language for arsenic as specified in Env-Dw 811.20 and

(2) Subject to (d), below, the following informational statement:

"While your drinking water meets EPA's standard for arsenic, it does contain low levels of arsenic. EPA's standard balances the current understanding of arsenic's possible health effects against the costs of removing arsenic from drinking water. EPA continues to research the health effects of low levels of arsenic, which is a mineral known to cause cancer in humans at high concentrations and is linked to other health effects such as skin damage and circulatory problems."

(b) The owner of a CWS at which nitrate is detected at levels above 5 mg/L, but below the MCL, shall include in the CCR:

(1) The source information language for nitrate as specified in Env-Dw 811.20; and

(2) Subject to (d), below, the following statement:

"Nitrate in drinking water at levels above 10 ppm is a health risk for infants of less than six months of age. High nitrate levels in drinking water can cause blue baby syndrome. Nitrate levels may rise quickly for short periods of time because of rainfall or agricultural activity. If you are caring for an infant you should ask advice from your health care provider."

(c) The owner of a CWS at which lead is detected above the AL as defined in Env-Ws 381.02 or successor rules in Env-Dw 714 in more than 5% and up to and including 10% of homes sampled shall include in the CCR:

(1) The source information language for lead as specified in Env-Dw 811.20; and

(2) Subject to (d), below, the following statement:

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. [Water system] is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline at 800-426-4791 or at <http://www.epa.gov/safewater/lead>."

(d) A CWS owner may use a system-specific informational statement in lieu of the statement required by (a)(2), (b)(2), or (c)(2), above, provided the statement includes all of the information included in the specified statement and only after consultation with the department.

(e) The owner of a CWS at which TTHM is detected above 0.080 mg/L but below the MCL specified in Env-Dw 705.03, as an annual average monitored and calculated under the provisions of 40 CFR 141.30, shall include in the CCR the health effects language for TTHM as specified in Env-Dw 809.06.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.20 Contaminant Source Information.

(a) If a CWS owner reports in the CCR a detection of any contaminant as specified in Env-Dw 811.09, the owner shall also report the likely source of each detected contaminant to the best of the owner's knowledge.

(b) If the owner lacks specific information on the likely source of the detected contaminant(s), the owner shall use the contaminant source information specified below in Table 811-1, as applicable:

Table 811-1
Contaminant Origin

Contaminant	Common Source in Drinking Water
Microbiological Contaminants	
Total Coliform Bacteria	Naturally present in the environment
Fecal coliforms or <u>E. coli</u> , or both	Human and animal fecal waste
Total Organic Carbon	Naturally present in the environment
Turbidity	Soil runoff
Radioactive Contaminants	
Beta/photon emitters	Decay of natural and man-made deposits
Alpha emitters	Erosion of natural deposits
Combined radium	Erosion of natural deposits
Uranium	Erosion of natural deposits
Inorganic Contaminants	
Antimony	Discharge from petroleum refineries; fire retardants; ceramics; electronics; solder
Arsenic	Erosion of natural deposits; runoff from orchards; runoff from glass and electronics production wastes
Asbestos	Decay of asbestos cement water mains; erosion of natural deposits
Barium	Discharge of drilling wastes; discharge from metal refineries; erosion of natural deposits
Beryllium	Discharge from metal refineries and coal-burning factories; discharge from electrical, aerospace, and defense industries
Bromate	By-product of drinking water disinfection
Cadmium	Corrosion of galvanized pipes; erosion of natural deposits; discharge from metal refineries; runoff from waste batteries and paints
Chloramines	Water additive used to control microbes
Chlorine	Water additive used to control microbes
Chlorine dioxide	Water additive used to control microbes
Chlorite	By-product of drinking water disinfection

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Contaminant	Common Source in Drinking Water
Chromium	Discharge from steel and pulp mills; erosion of natural deposits
Copper	Corrosion of household plumbing systems; Erosion of natural deposits; leaching from wood preservatives
Cyanide	Discharge from steel/metal factories; discharge from plastic and fertilizer factories
Fluoride	Erosion of natural deposits; water additive which promotes strong teeth; discharge from fertilizer and aluminum factories
Lead	Corrosion of household plumbing systems, erosion of natural deposits
Mercury (inorganic)	Erosion of natural deposits; discharge from refineries and factories; runoff from landfills; runoff from cropland
Nitrate (as Nitrogen)	Runoff from fertilizer use; leaching from septic tanks, sewage; erosion of natural deposits
Nitrite (as Nitrogen)	Runoff from fertilizer use; leaching from septic tanks, sewage; erosion of natural deposits
Selenium	Discharge from petroleum and metal refineries; erosion of natural deposits; discharge from mines
Thallium	Leaching from ore-processing sites; discharge from electronics, glass, and drug factories
Synthetic Organic Contaminants; including Pesticides and Herbicides	
2,4-D	Runoff from herbicide used on row crops
2,4,5-TP (Silvex)	Residue of banned herbicide
Acrylamide	Added to water during sewage/wastewater treatment
Alachlor	Runoff from herbicide used on row crops
Atrazine	Runoff from herbicide used on row crops
Benzo(a)pyrene (PAH)	Leaching from linings of water storage tanks and distribution lines
Carbofuran	Leaching of soil fumigant used on rice and alfalfa
Chlordane	Residue of banned termiticide
Dalapon	Runoff from herbicide used on rights of way
Di(2-ethylhexyl) adipate	Discharge from chemical factories
Di(2-ethylhexyl) phthalate	Discharge from rubber and chemical factories
Dibromochloropropane	Runoff/leaching from soil fumigant used on soybeans, cotton, pineapples, and orchards
Dinoseb	Runoff from herbicide used on soybeans and vegetables
Diquat	Runoff from herbicide use
Dioxin [2,3,7,8-TCDD]	Emissions from waste incineration and other combustion; Discharge from chemical factories
Endothall	Runoff from herbicide use
Endrin	Residue of banned insecticide
Epichlorohydrin	Discharge from industrial chemical factories; an impurity of some water treatment chemicals
Ethylene dibromide	Discharge from petroleum refineries
Glyphosate	Runoff from herbicide use
Heptachlor	Residue of banned pesticide
Heptachlor epoxide	Breakdown of heptachlor
Hexachlorobenzene	Discharge from metal refineries and agricultural chemical factories
Hexachlorocyclopentadiene	Discharge from chemical factories
Lindane	Runoff/leaching from insecticide used on cattle, lumber, gardens

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Contaminant	Common Source in Drinking Water
Methoxychlor	Runoff/leaching from insecticide used on fruits, vegetables, alfalfa, livestock
Oxamyl [Vydate]	Runoff/leaching from insecticide used on apples, potatoes and tomatoes
PCBs [Polychlorinated biphenyls]	Runoff from landfills; discharge of waste chemicals
Pentachlorophenol	Discharge from wood preserving factories
Picloram	Herbicide runoff
Simazine	Herbicide runoff
Toxaphene	Runoff/leaching from insecticide used on cotton and cattle
Volatile Organic Contaminants	
Benzene	Discharge from factories; leaching from gas storage tanks and landfills
Carbon tetrachloride	Discharge from chemical plants and other industrial activities
Chlorobenzene	Discharge from chemical and agricultural chemical factories
o-Dichlorobenzene	Discharge from industrial chemical factories
p-Dichlorobenzene	Discharge from industrial chemical factories
1,2-Dichloroethane	Discharge from industrial chemical factories
1,1-Dichloroethylene	Discharge from industrial chemical factories
cis-1,2-Dichloroethylene	Discharge from industrial chemical factories
trans-1,2-Dichloroethylene	Discharge from industrial chemical factories
Dichloromethane	Discharge from pharmaceutical and chemical factories
1,2-Dichloropropane	Discharge from industrial chemical factories
Ethylbenzene	Discharge from petroleum refineries
Haloacetic Acids (HAA)	By-product of drinking water disinfection
MtBE	Residual from gasoline spill or leakage
Styrene	Discharge from rubber and plastic factories; leaching from landfills
Tetrachloroethylene	Discharge from factories and dry cleaners
1,2,4-Trichlorobenzene	Discharge from textile-finishing factories
1,1,1-Trichloroethane	Discharge from metal degreasing sites and other factories
1,1,2-Trichloroethane	Discharge from industrial chemical factories
Trichloroethylene	Discharge from metal degreasing sites and other factories
TTHM (Total trihalomethanes)	By-product of drinking water disinfection
Toluene	Discharge from petroleum factories
Vinyl Chloride	Leaching from PVC piping; discharge from plastics factories
Xylenes, Total	Discharge from petroleum factories; discharge from chemical factories

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.21 Health Effects Language. If a CWS owner reports in the CCR an MCL, MRDL, or a treatment technique violation as specified in Env-Ws 310 through Env-Ws 316 or successor rules in Env-Dw 700, the CCR shall contain the applicable health effects language for the contaminant as specified in Env-Dw 804 through Env-Dw 810.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Env-Dw 811.22 Report Delivery; Recordkeeping.

(a) Subject to (d), below, the CWS owner shall distribute the CCR by:

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- (1) Mailing or directly delivering one copy of the CCR to each customer and to the department by the date specified in Env-Dw 811.03;
- (2) Providing a copy of the CCR to any other agency or clearinghouse upon request; and
- (3) Providing a copy of the CCR to the public upon request.

(b) A CWS owner shall make a good faith effort as specified in (c), below, to provide a copy of the CCR to customers who do not receive water bills.

(c) A CWS owner who undertakes one or more of the following shall have met the requirement in (b), above, to make a good faith effort to reach customers who do not receive water bills:

- (1) Posting the CCR on the internet site maintained by or for the CWS;
- (2) Mailing the CCR to all postal patrons in the area served by the CWS;
- (3) Advertising the availability of the CCR in the electronic and print news media;
- (4) Publishing the CCR, or a notice of its availability, in a newspaper of general circulation;
- (5) Posting the CCR, or a notice of its availability, in public places such as cafeterias or lunch rooms of public buildings or near public drinking water fountains;
- (6) Delivering multiple copies of the CCR for distribution by single-bill customers such as apartment buildings or large private employers; and
- (7) Delivering one or more copies of the CCR to community organizations.

(d) The owner of a CWS that serves 100,000 or more persons shall post the most current CCR on a publicly-accessible site on the Internet.

(e) The CWS owner shall retain a copy of each CCR for at least 3 years after the last day of the calendar year in which it is distributed.

Source. (See Revision Note at chapter heading for Env-Dw 800) #9730, eff 6-30-10

Appendix A - Statutes/Regulations Implemented

Rule Section(s)	State Statute(s) Implemented	Federal Requirements Implemented
Env-Dw 801 - 803	RSA 485:2, V; RSA 485:3, I	40 CFR 141.31; 40 CFR 141, Subpart Q
Env-Dw 804.01, 804.02, & 804.04	RSA 485:2, V; RSA 485:3, I;	40 CFR 141.205(d); Appendix B to 40 CFR 141, Subpart Q
Env-Dw 804.03	RSA 485:2, V; RSA 485:3, I & VII	40 CFR 141.205(d); Appendix B to 40 CFR 141, Subpart Q
Env-Dw 805 - 810	RSA 485:2, V; RSA 485:3, I & VII	40 CFR 141.205(d); Appendix B to 40 CFR 141, Subpart Q
Env-Dw 811.01 - 811.16, & 811.18	RSA 485:2, V; RSA 485:3, I, III(b)	40 CFR 141.141, Subparts O and Q
Env-Dw 811.17, 811.19, & 811.20	RSA 485:2, V; RSA 485:3, I, III(b) & VII	40 CFR 141.141, Subparts O and Q

Appendix B - Converting MCL Water Quality Compliance Values
(for Env-Dw 811.10 and Env-Dw 811.14)

Contaminant	Traditional MCL in compliance units (mg/L)	To convert to a whole number, Multiply by....	MCL in CCR units	MCLG in Whole Numbers
Microbiological Contaminants				
Total Coliform Bacteria	For systems that collect 40 or more samples per month, MCL occurs when 5% of monthly samples are positive. For systems that collect fewer than 40 samples per month, MCL occurs when 1 monthly sample is positive		CWS that collect 40 or more samples per month; not more than 5% of monthly samples are allowed to be positive. CWS that collect fewer than 40 samples per month; not more than 1 positive monthly sample.	0
Turbidity	TT		TT (NTU)	n/a
Fecal coliforms or <i>E. coli</i> , or both	0		0	0
Total Organic Carbon	TT		TT (ppm)	n/a
Radioactive Contaminants				
Beta/photon emitters	4 mrem/yr		4 mrem/yr	0
Alpha emitters	15 pCi/L		15 pCi/L	0
Combined radium	5 pCi/L		5 pCi/L	0
Uranium	30 ug/L		30 ug/L	0
Inorganic Contaminants				
Antimony	0.006	1,000	6 ppb	6
Arsenic	0.010	1,000	10 ppb	0
Asbestos	7 MFL		7 MFL	7
Barium	2		2 ppm	2
Beryllium	0.004	1,000	4 ppb	4
Bromate	0.010	1,000	10 ppb	0
Cadmium	0.005	1,000	5 ppb	5
Chloramines	MRDL = 4		MRDL = 4 ppm	MRDLG = 4
Chlorine	MRDL = 4		MRDL = 4 ppm	MRDLG = 4
Chlorine dioxide	MRDL = 0.8	1,000	MRDL = 800 ppb	MRDLG = 800
Chlorite	1		1 ppm	0.8
Chromium	0.1	1,000	100 ppb	100
Copper	AL=1.3		AL=1.3 ppm	1.3

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Contaminant	Traditional MCL in compliance units (mg/L)	To convert to a whole number, Multiply by....	MCL in CCR units	MCLG in Whole Numbers
Cyanide	0.2	1,000	200 ppb	200
Fluoride	4.0		4.0 ppm	4.0
Lead	AL=0.015	1,000	AL=15 ppb	0
Mercury (inorganic)	0.002	1,000	2 ppb	2
Nitrate (as Nitrogen)	10		10 ppm	10
Nitrite (as Nitrogen)	1		1 ppm	1
Selenium	0.05	1,000	50 ppb	50
Thallium	0.002	1,000	2 ppb	0.5
Synthetic Organic Contaminants, including Pesticides and Herbicides				
2,4-D	0.07	1,000	70 ppb	70
2,4,5-TP (Silvex)	0.05	1,000	50 ppb	50
Acrylamide	TT		TT (ppm)	0
Alachlor	0.002	1,000	2 ppb	0
Atrazine	0.003	1,000	3 ppb	3
Benzo(a)pyrene (PAH)	0.0002	1,000,000	200 ppt	0
Carbofuran	0.04	1,000	40 ppb	40
Chlordane	0.002	1,000	2 ppb	0
Dalapon	0.2	1,000	200 ppb	200
Di(2-ethylhexyl) adipate	0.4	1,000	400 ppb	400
Di(2-ethylhexyl) phthalate	0.006	1,000	6 ppb	0
Dibromochloropropane	0.0002	1,000,000	200 ppt	0
Dinoseb	0.007	1,000	7 ppb	7
Diquat	0.02	1,000	20 ppb	20
Dioxin [2,3,7,8-TCDD]	0.00000003	1,000,000,000	30 ppq	0
Endothall	0.1	1,000	100 ppb	100
Endrin	0.002	1,000	2 ppb	2
Epichlorohydrin	TT		TT (ppm)	0
Ethylene dibromide	0.00005	1,000,000	50 ppt	0
Glyphosate	0.7	1,000	700 ppb	700
Heptachlor	0.0004	1,000,000	400 ppt	0
Heptachlor epoxide	0.0002	1,000,000	200 ppt	0
Hexachlorobenzene	0.001	1,000	1 ppb	0
Hexachlorocyclopenta- diene	0.05	1,000	50 ppb	50
Lindane	0.0002	1,000,000	200 ppt	200
Methoxychlor	0.04	1,000	40 ppb	40
Oxamyl [Vydate]	0.2	1,000	200 ppb	200

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Contaminant	Traditional MCL in compliance units (mg/L)	To convert to a whole number, Multiply by....	MCL in CCR units	MCLG in Whole Numbers
PCBs [Polychlorinated biphenyls]	0.0005	1,000,000	500 ppt	0
Pentachlorophenol	0.001	1,000	1 ppb	0
Picloram	0.5	1,000	500 ppb	500
Simazine	0.004	1,000	4 ppb	4
Toxaphene	0.003	1,000	3 ppb	0
Volatile Organic Contaminants				
Benzene	0.005	1,000	5 ppb	0
Carbon tetrachloride	0.005	1,000	5 ppb	0
Chloramines	MRDL = 4	MRDL = 4 ppm	MRDLG = 4
Chlorine	MRDL = 4	MRDL = 4 ppm	MRDLG = 4
Chlorite	1	1 ppm	0.8
Chlorine dioxide	MRDL = 0.8	1,000	MRDL = 800 ppb	MRDLG = 800
Chlorobenzene	0.1	1,000	100 ppb	100
o-Dichlorobenzene	0.6	1,000	600 ppb	600
p-Dichlorobenzene	0.075	1,000	75 ppb	75
1,2-Dichloroethane	0.005	1,000	5 ppb	0
1,1-Dichloroethylene	0.007	1,000	7 ppb	7
cis-1,2-Dichloroethylene	0.07	1,000	70 ppb	70
trans-1,2-Dichloroethylene	0.1	1,000	100 ppb	100
Dichloromethane	0.005	1,000	5 ppb	0
1,2-Dichloropropane	0.005	1,000	5 ppb	0
Ethylbenzene	0.7	1,000	700 ppb	700
Haloacetic Acids (HAA)	0.060	1,000	60 ppb	n/a
MtBE	0.013	1,000	13 ppb	13
Styrene	0.1	1,000	100 ppb	100
Tetrachloroethylene	0.005	1,000	5 ppb	0
1,2,4-Trichlorobenzene	0.07	1,000	70 ppb	70
1,1,1-Trichloroethane	0.2	1,000	200 ppb	200
1,1,2-Trichloroethane	0.005	1,000	5 ppb	3
Trichloroethylene	0.005	1,000	5 ppb	0
TTHMs [Total trihalomethanes]	0.10/0.080	1,000	100/80 ppb	n/a
Toluene	1		1 ppm	1
Vinyl Chloride	0.002	1,000	2 ppb	0
Xylenes, Total	10		10 ppm	10

Abbreviations: AL = Action Level; MRDL = Maximum Residual Disinfectant Level; MFL = Million Fibers per Liter; NTU = Nephelometric Turbidity Unit; ppb = Parts per billion; ppm = parts per million; ppq = parts per quadrillion; ppt = Parts per trillion; pCi/L = picocuries per liter; TT = Treatment Technique

REVISION NOTE:

Document #9730, effective 6-30-10, readopted with amendments and renumbered many former rules in Chapter Env-Ws 300, and adopted new rules, under a new subtitle in Chapter Env-Dw 800, as follows:

<u>Former Rule</u>	<u>New Rule</u>
Env-Ws 351.01	Env-Dw 801.01
Env-Ws 354.01	Env-Dw 801.02(a) and (b)
Env-Ws 351.02(b)-(d)	Env-Dw 801.02(c)-(e)
Env-Ws 351.02(a)	Env-Dw 801.03
Env-Ws 351.03	Env-Dw 801.04-801.07
Env-Ws 351.04	Env-Dw 801.08 and Env-Dw 801.09
(no former rule)	Env-Dw 801.10
Env-Ws 351.05	Env-Dw 801.11 and Env-Dw 801.12
(no former rule)	Env-Dw 801.13
Env-Ws 351.08	Env-Dw 801.14
Env-Ws 351.06	Env-Dw 801.15
(no former rule)	Env-Dw 801.16
Env-Ws 351.09-351.13	Env-Dw 801.17-801.19
(no former rule)	Env-Dw 801.20
Env-Ws 351.07	Env-Dw 802.01-802.06 intro.
Env-Ws 352.14(a)-(f)	Env-Dw 801.06(a)-(f)
Env-Ws 359.01	Env-Dw 803.01
(no former rule)	Env-Dw 803.02
(no former rule)	Env-Dw 803.03
Env-Ws 355.01-355.04	Env-Dw 804.01-804.04
Env-Ws 355.05	Env-Dw 805.01-805.05
Env-Ws 355.06	Env-Dw 805.06
Env-Ws 356.01	Env-Dw 806.01-806.17
Env-Ws 357.01	Env-Dw 807.01-807.28
Env-Ws 357.02	Env-Dw 808.01-808.34
Env-Ws 357.03 and Env-Ws 357.04	Env-Dw 809.01-809.11
Env-Ws 358.01	Env-Dw 810.01
(no former rule)	Env-Dw 810.02
Env-Ws 352.01-352.10	Env-Dw 811.01-811.10
Env-Ws 352.11	Env-Dw 811.11-811.14
(no former rule)	Env-Dw 811.15
Env-Ws 352.12	Env-Dw 811.16
Env-Ws 352.13	Env-Dw 811.17
Env-Ws 352.14 intro. and Env-Ws 352.15	Env-Dw 811.18 and Env-Dw 811.19
Env-Ws 352.16	Env-Dw 811.20
Env-Ws 352.17 and Env-Ws 352.18	Env-Dw 811.21 and Env-Dw 811.22

The redesignation from subtitle Env-Ws to subtitle Env-Dw was done pursuant to a rules reorganization plan for Department rules approved by the Director of the Office of Legislative Services on 9-7-05.

Document #9730 replaces all prior filings for the former rules as cited above. The prior filings for these former rules, beginning with Document #6521, eff 6-4-97, which had readopted with amendments the entire Chapter Env-Ws 300, include the following documents:

Env-Ws 351 and 352

#6521, eff 6-4-97
#7545, eff 1-1-02
#8351, eff 5-14-05
#8352, eff 5-14-05
#9618, INTERIM, eff 1-1-10

Env-Ws 354

#6521, eff 6-4-97
#7545, eff 1-1-02
#9618, INTERIM, eff 1-1-10

Env-Ws 355

#6521, eff 6-4-97
#7545, eff 1-1-02
#8040, eff 2-14-04
#9618, INTERIM, eff 1-1-10

Env-Ws 356

#6521, eff 6-4-97
#7545, eff 1-1-02
#7645, eff 2-8-02
#9618, INTERIM, eff 1-1-10

Env-Ws 357

#6521, eff 6-4-97
#7261, eff 5-4-00
#7545, eff 1-1-02
#9618, INTERIM, eff 1-1-10

Env-Ws 358 and 359

#6521, eff 6-4-97
#7545, eff 1-1-02
#9618, INTERIM, eff 1-1-10